

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. During a review of her Food Stamp eligibility in January, the petitioner reported that her gross income from employment was \$546.96 a month. This increase in the

petitioner's income resulted in a termination of her Food Stamps effective February 1, 2006.

3. At a hearing in this matter held on May 15, 2006 the petitioner did not disagree with any of the Department's determinations regarding her income and expenses as of January. She was advised to promptly reapply for Food Stamps if her part time job ends, or if her hours are reduced.

ORDER

The Department's decision is affirmed.

REASONS

The Food Stamp regulations include all gross income for all household members from employment, Social Security, SSI, and unemployment benefits as countable earned and unearned income. Food Stamp Manual (F.S.M.) § 273.9(b). Deductions from income are limited to those specifically itemized in the regulations. Food Stamp Manual (F.S.M.) § 273.9(d). All households under five persons receive a "standard deduction" of \$134, and those with earned income can deduct 20 percent of that income.

Households are also entitled to a "shelter deduction" in the amount by which their total shelter costs exceed one half of their net income. In the petitioner's case, her housing

costs exceed half her household's income by \$93.53. This and the other deductions, above, resulted in countable Food Stamp income of \$1,533.08. Under the regulations, two-person households with this income are ineligible for Food Stamps. See P-2590D.

Inasmuch as the petitioner does not dispute that the Department's decision in this matter accurately reflected her income and expenses as of January 2006, and cannot show that the amount of her Food Stamps was not determined in accord with the applicable regulations, the Board is bound by law to affirm the Department's decision. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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